

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 MICHAEL SHERMAN LEWIS,

12 Petitioner,

13 v.

14 NASA, AIR FORCE,

15 Respondents.
16

No. 2:21-cv-0379 WBS AC

ORDER

17 On March 1, 2021, petitioner, an individual who does not appear to be incarcerated,
18 submitted a letter to the court. ECF No. 1. The matter was referred to a United States Magistrate
19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On March 10, 2021, the undersigned interpreted the letter to be an attempt on petitioner's
21 part to file an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. As a result,
22 petitioner was directed to file a proper habeas petition and to do so within thirty days. See ECF
23 No. 3.

24 Petitioner failed to file a proper habeas petition within the allotted time. Consequently, on
25 April 22, 2021, the magistrate judge issued findings and recommendations herein which were
26 served on petitioner and which contained notice to petitioner that any objections to the findings
27 and recommendations were to be filed within twenty-one days. Petitioner has not filed objections
28 to the findings and recommendations.


1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

4 1. The findings and recommendations issued April 22, 2021 (ECF No. 5), are ADOPTED
5 in full;

6 2. This action is DISMISSED without prejudice, and

7 3. The court DECLINES to issue the certificate of appealability referenced in 28 U.S.C.
8 § 2253.

9 Dated: May 28, 2021


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

10
11
12
13
14
15 lewi0379.800.hc
16
17
18
19
20
21
22
23
24
25
26
27
28